

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

BEN BAKER,)	
	)	No. 16-cv-8940
Plaintiff,)	
	)	Judge Wood
v.)	
	)	Magistrate Judge Finnegan
CITY OF CHICAGO, <i>et al.</i> ,)	
	)	Coordinated for pretrial proceedings with:
Defendants.)	
	)	<i>White v. Chicago, et al.</i> , No. 17-cv-2877
	)	<i>Powell v. Chicago, et al.</i> , No. 17-cv-5156
	)	<i>Carter v. Chicago, et al.</i> , No. 17-cv-7241
	)	<i>Forney v. Chicago, et al.</i> , No. 18-cv-3474
	)	<i>Shenault v. Chicago, et al.</i> , No. 18-cv-3477
	)	<i>Shenault Jr. v. Chicago, et al.</i> , No. 18-cv-3478
	)	<i>Gibbs v. Chicago, et al.</i> , No. 18-cv-5119
	)	<i>Gipson v. Chicago, et al.</i> , No. 18-cv-5120
	)	<i>Jackson v. Chicago, et al.</i> , No. 18-cv-5121
	)	<i>Sanders v. Chicago, et al.</i> , No. 18-cv-5122
	)	<i>James v. Chicago, et al.</i> , No. 18-cv-5123
	)	<i>Jefferson v. Chicago, et al.</i> , No. 18-cv-5124
	)	<i>Saunders v. Chicago, et al.</i> , No. 18-cv-5125
	)	<i>McDaniels v. Chicago, et al.</i> , No. 18-cv-5126
	)	<i>McNairy v. Chicago, et al.</i> , No. 18-cv-5127
	)	<i>Scott v. Chicago, et al.</i> , No. 18-cv-5128
	)	<i>Rainey v. Chicago, et al.</i> , No. 18-cv-5129
	)	<i>Thomas v. Chicago, et al.</i> , No. 18-cv-5131
	)	<i>Thomas v. Chicago, et al.</i> , No. 18-cv-5132
	)	<i>White, Jr. v. Chicago, et al.</i> , No. 18-cv-5133
	)	<i>Jefferson v. Chicago, et al.</i> , No. 18-cv-8182
	)	<i>Blair v. Chicago, et al.</i> , No. 19-cv-0127
	)	<i>Curtis v. Chicago, et al.</i> , No. 19-cv-0128
	)	<i>Henderson v. Chicago, et al.</i> , No. 19-cv-0129
	)	<i>Ollie v. Watts, et al.</i> , No. 19-cv-0131
	)	<i>Wilbourn v. Chicago, et al.</i> , No. 19-cv-0132
	)	<i>Thomas v. Chicago, et al.</i> , No. 19-cv-0133
	)	<i>Allen v. Chicago, et al.</i> , No. 19-cv-1082
	)	<i>Delaney v. Chicago, et al.</i> , No. 19-cv-1083
	)	<i>Glover v. Chicago, et al.</i> , No. 19-cv-1084
	)	<i>Hunt v. Chicago, et al.</i> , No. 19-cv-1088
	)	<i>Warren v. Chicago, et al.</i> , No. 19-cv-1089
	)	<i>Bell v. Chicago, et al.</i> , No. 19-cv-1090
	)	<i>Wise v. Chicago, et al.</i> , No. 19-cv-1091

	)	<i>Moore v. Chicago, et al.</i> , No. 19-cv-1092
	)	<i>Pearson v. Chicago, et al.</i> , No. 19-cv-1093
	)	<i>Coleman v. Chicago, et al.</i> , No. 19-cv-1094
	)	<i>Lomax v. Chicago, et al.</i> , No. 19-cv-1095
	)	<i>Martin v. Chicago, et al.</i> , No. 19-cv-1097
	)	<i>Almond v. Chicago, et al.</i> , No. 19-cv-1098
	)	<i>Colvin v. Chicago, et al.</i> , No. 19-cv-1099
	)	<i>Hicks v. Chicago, et al.</i> , No. 19-cv-1100
	)	<i>McDonald v. Chicago, et al.</i> , No. 19-cv-1101
	)	<i>Thompson v. Chicago, et al.</i> , No. 19-cv-1103
	)	<i>Weekly v. Chicago, et al.</i> , No. 19-cv-1104
	)	<i>Willis v. Chicago, et al.</i> , No. 19-cv-1105

JOINT STATUS REPORT

All parties to the coordinated proceedings, pursuant to the Court's February 5, 2019 order (Dkt. 200), respectfully submit the following joint status report:

Written Discovery

1. Since filing the last status report, a number of the Individual Defendants have served written discovery on Plaintiffs, and Plaintiffs have served additional requests for production upon Defendants.

Depositions

2. Depositions were scheduled to begin on February 19, 2019. Certain of the deponents were unavailable on the planned deposition dates, and others were withdrawn from disclosures. The first firm deposition, of Lt. James Spratte, is set to take place on March 13, 2019 in Florida.

3. In addition, on February 26, 2019, Plaintiffs' counsel reached out to defense counsel and asked counsel to make the following witnesses available for depositions in March and April, explaining that Plaintiffs would make themselves available for the depositions on any dates when the witnesses were available: Wilbert Neal (scheduled); James Spratte (scheduled); Mitchell Wells (current or former CPD employee); Keith Calloway (current or former CPD

employee); Thomas Chester (current or former CPD employee); Calvin Holliday (current or former CPD employee); Joel Howard (current or former CPD employee); Daniel Dacanay (current or former CPD employee); Tiffany Williams (current or former CPD employee); James Davis (current or former CPD employee); and Defendant Ronald Heard (scheduled).

4. As noted above, Mr. Spratte's deposition is set for March 13 in Florida. Mr. Neal's deposition is set for March 26, 2019. Defendant Heard's deposition is scheduled for April 11, 2019. Plaintiffs have not yet received any dates when the other witnesses can be made available.

5. On March 5, 2019, counsel for the Defendant Officers requested available deposition dates in March for an alleged alibi and Rule 404(b) witness, Jamar Lewis, who is represented by the Flaxman firm. Counsel for Mr. Lewis objects to producing Mr. Lewis for a deposition until his pending criminal charges are resolved. Trial in Mr. Lewis's criminal trial is scheduled for July 8, 2019.

New Cases

6. On February 22, 2019, nineteen additional cases were coordinated with the earlier cases by Order of the Executive Committee. Those cases are listed on the docket entry attached hereto as Exhibit 1.

7. Plaintiffs in those cases have requested that Defendants waive service of process. Defendant Watts has returned signed waivers of service.

8. There were fourteen additional Watts-related exonerations in February. Each of these individuals is represented by either Loevy & Loevy or the Flaxman firm, and the firms anticipate filing new lawsuits for each of the new exonerees.¹

Conclusion

9. The parties agree that there are no other matters that they intend to raise at the March 14, 2019 status hearings.

Respectfully submitted,

/s/ Scott Rauscher

One of the Attorneys for Plaintiffs Ben Baker, Clarissa Glenn, Marcus Gibbs, Leonard Gipson, Allen Jackson, Shaun James, Thomas Jefferson, Anthony McDaniels, Andre McNairy, Lee Rainey, Jamell Sanders, Frank Saunders, Christopher Scott, Taurus Smith, Henry Thomas, Phillip Thomas, Lionel White, Jr., and Lionel White, Sr.

Arthur Loevy
Jon Loevy
Scott Rauscher
Josh Tepfer
Theresa Kleinhaus
Katie Roche
Sean Starr
Loevy & Loevy
311 N. Aberdeen St., Third Floor
Chicago, IL 60607

/s/ Joel A. Flaxman

One of the Attorneys for Plaintiffs Lionel White Sr., Bruce Powell, William Carter, Angelo Shenault Sr., Angelo Shenault Jr., Robert Forney, and Goleather Jefferson, Harvey Blair, Joshua Curtis, Rickey Henderson, George Ollie, Vondell Wilbourn, and Nephus Thomas

Joel A. Flaxman
Kenneth N. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
(312) 427-3200

¹ One of the exonerees is already a Plaintiff, and the recent exoneration was for a second Watts-related conviction. Loevy & Loevy anticipates filing an amended complaint for that Plaintiff.

/s/ William E. Bazarek

One of the Attorneys for Defendants Alvin Jones, Robert Gonzalez, Miguel Cabrales, Douglas Nichols, Jr., Manuel S. Leano, Brian Bolton, Kenneth Young, Jr., David Soltis, Elsworth J. Smith, Jr., John Rodriguez, Gerome Summers, Jr., Calvin Ridgell, Jr., Lamonica Lewis, Edgar Carlos, Rebecca Bogard, Darryl Aikins, Ronald Heard, Frankie Lane, and Katherine Moses-Hughes

Andrew M. Hale
William E. Bazarek
Anthony E. Zecchin
Brian J. Stefanich
Allyson West
HALE LAW LLC
53 W. Jackson Blvd., Suite 330
Chicago, IL 60604
(312) 341-9646

/s/ Gary Ravitz

One of the Attorneys for Defendant Kallatt Mohammed

Gary Ravitz
Eric S. Palles
David L. Farr
Emily Wessel Farr
Naphtalia C. Lafontant
Ravitz & Palles, P.C.
203 North LaSalle Street, Ste. 2100
Chicago, Illinois 60601
(312) 558-1689

/s/ Ahmed Kosoko

One of the Attorneys for Defendant Ronald Watts

Brian P. Gainer
Monica Gutowski
Ahmed Kosoko
JOHNSON & BELL, LTD.
33 West Monroe Street
Suite 2700
Chicago, Illinois 60603
(312) 372-0770

/s/ Daniel M. Noland

One of the Attorneys for Defendants

City of Chicago, Philip Cline, Debra Kirby Karen Rowan, John Griffin, Leo Panepinto, Jose Lopez, Gabriella Shemash, Jerome A. Fluder, Mike Ryle, Edward W. Griffin, and Jerrold Bosak

Terrence M. Burns

Paul A. Michalik

Daniel M. Noland

Elizabeth A. Ekl

Katherine C. Morrison

Reiter Burns LLP

311 S. Wacker Dr., Suite 5200

Chicago, IL 60606

(312) 982-0090

/s/ James V. Daffada

One of the Attorneys for Defendants Michael Spaargaren and Matthew Cadman

James V. Daffada

Thomas M. Leinenweber

Kevin E. Zibolski

Michael J. Schalka

Leinenweber Baroni & Daffada LLC

120 North LaSalle Street

Suite 2000

Chicago, Illinois 60602

(312) 663-3003

CERTIFICATE OF SERVICE

I, Scott Rauscher, an attorney, certify that on March 12, 2019, I served a copy of the foregoing Joint Status Report on all counsel of record via the ECF System.

/s/ Scott Rauscher